

REVISED LAWS

OF

HAWAII

1935

Comprising the Statutes of the Territory,
consolidated, revised and annotated.



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HONOLULU, T. H.
HONOLULU STAR-BULLETIN
1935.

EXHIBIT "T"

FIREARMS AND AMMUNITION.

Chs. 80, 81.
Secs. 2530-2532, 2540-2541.

Sec. 2530. Number on vehicle; badge. The owner of a licensed vehicle shall continuously exhibit in a conspicuous place on every such vehicle, the number of the license issued for such vehicle. Every licensed driver shall wear, while employed, a badge which shall be supplied by the treasurer at cost, showing his number. [L. 1896, c. 64, s. 100; R. L. 1925, s. 2107.]

Sec. 2531. Number of passengers. No licensed vehicle shall convey at any one time a greater number of passengers than the capacity enumerated in its license. [L. 1896, c. 64, s. 101; R. L. 1925, s. 2108.]

Sec. 2532. Penalties. Any person who shall convey any passenger or freight for hire in any unlicensed vehicle, or who shall allow an unlicensed vehicle owned by him to be used for such purposes, or who, having a license, shall use any vehicle, harness or animal which is not in good and serviceable condition, or who shall drive a licensed vehicle without a driver's license, or who shall knowingly allow a licensed vehicle owned by him to be driven for hire by an unlicensed person, or who shall violate or fail to observe any of the requirements of sections 2527 to 2532, inclusive, shall be fined not more than twenty-five dollars for each violation and the license of any licensed vehicle or driver may, in the discretion of the court, be canceled. [L. 1896, c. 64, Add., *Sr. 1332*, s. 103; am. L. 1907, c. 13, s. 2; am. L. 1915, c. 70, s. 1; R. L. 1925, s. 2110; am. *1535-6-8* *1332* *Sr.* *Act.* *S.L.* *41* imp. L. 1932, 2d, c. 66, s. 15.]

CHAPTER 81. FIREARMS AND AMMUNITION.*

Sec. 2540. Definitions. As used in this chapter: "Firearm" means any weapon, the operating force of which is an explosive. This definition includes pistols, revolvers, rifles, shotguns, machine guns, automatic rifles, noxious gas projectors, mortars, bombs, cannon and sub-machine guns. The specific mention herein of certain weapons does not exclude from the definition other weapons operated by explosives.

"Crime of violence" means any of the following crimes, namely: murder, manslaughter, rape, kidnapping, robbery, burglary, and those certain crimes set forth in sections 5653 and 5654.

"Pistol" or "revolver" means any firearm of any shape whatsoever with barrel less than twelve inches in length and capable of discharging loaded ammunition or any noxious gas. [L. 1933-4, c. 26, s. 2.]

Sec. 2541. Registration, mandatory. Every person residing or doing business or temporarily sojourning within the Territory on January 9, 1934, who possessed a firearm of any description, whether usable or unusable, serviceable or unserviceable, modern or antique, not already registered in the name of the present possessor, or who possessed ammunition of any kind or description, except shotgun ammunition, shall, within ten days of that date, register the same with the chief of police of the city and county of Honolulu or the sheriff of the county, other than the city and county, wherein is his place of business, or if there be no place of business, his residence, or if there be neither place of business nor residence, his place of sojourn.

Every person arriving in the Territory, who brings with him firearms or ammunition of any type and description, shall register the same in similar manner within forty-eight hours after arrival.

The registration shall be on such forms as may be designated by the bureau of crime statistics and shall include a description of the class of firearm or firearms and ammunition owned by him, or in his possession, together with the name of the maker and the factory number, if known or ascertainable, and the source from which possession was obtained.

Within ten days after the end of each month the chief of police of the city and county of Honolulu and the sheriffs of the several counties, other than the city and county, shall furnish to the bureau of crime statistics duplicate copies of all registrations made during the preceding month.

No fee shall be charged for such registration.

* L. 1933-4, c. 26, s. 16, partial invalidity, omitted.
See s. 1302, re reports of wounds caused by firearms; see c. 193, homicide; c. 209, rape; c. 194, kidnapping; c. 206, robbery; c. 166, burglary; s. 5529, intent when crime committed while armed.

Ch. 81.
Secs. 2542-2543.

COUNTIES—GENERAL.

Any person who fails to comply with the provisions of this section shall be punished by a fine of not more than two hundred and fifty dollars. [L. 1933-4, c. 26, s. 3.]

See ss. 5452-5455, bureau of crime statistics.

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Sec. 2542. Registration by transfer; permits to acquire; penalty. No person shall take possession of any firearms of any description, whether usable or unusable, serviceable or unserviceable, modern or antique, registered under prior law or unregistered, or of any ammunition of any kind or description, except shotgun ammunition, either through sale, gift, loan, bequest, or otherwise, whether procured in the Territory or imported by mail, express, freight, or otherwise, until he shall first have procured from the chief of police of the city and county of Honolulu or the sheriff of the county, other than the city and county, wherein is his place of business, or if there be no place of business, his residence, or if there be neither place of business nor residence, his place of sojourn, a permit to acquire as prescribed herein. The chief of police of the city and county of Honolulu or the sheriffs of the several counties, other than the city and county, are authorized, within their discretion, to issue permits, within their respective jurisdictions, to acquire rifles, pistols, and revolvers to citizens of the United States, of the age of twenty years or more, and to duly accredited official representatives of foreign nations. Permits to acquire ammunition for rifles, pistols and revolvers acquired prior to January 9, 1934, and registered in accordance with the provisions of this chapter, may be granted persons of the age of twenty years or more irrespective of citizenship. Permits to acquire shotguns may be granted to persons of the age of sixteen years or more, irrespective of citizenship.

Applications for such permits shall be signed by the applicant upon forms to be specified by the bureau of crime statistics, and shall be signed by the issuing authority. One copy of such permit shall be retained by the issuing authority, as a permanent official record. Such permit shall be void unless used within ten days after the date of issue. In all cases where possession is acquired from another person in the Territory the permit shall be signed in ink by the holder thereof and shall thereupon be delivered to and taken up by the person selling, loaning, giving or delivering the firearm or ammunition, who shall make entry thereon setting forth in the space provided therefor the name of the person to whom the firearm or ammunition was delivered, and the make, style, caliber, and number, as applicable. He shall then sign it in ink and cause it to be delivered or sent by registered mail to the issuing authority within forty-eight hours. In case receipt of such firearms or ammunition is had by mail, express, freight, or otherwise, from sources without the Territory, the person to whom such permit has been issued, shall make the prescribed entries thereon, signed in ink, and cause it to be delivered or sent by registered mail to the issuing authority within forty-eight hours after taking possession of the firearms or ammunition. No person shall sell, give, loan, or deliver into the possession of another any firearm or ammunition except in accordance with the provisions of this section.

Any person acquiring a firearm or ammunition under the provisions of this section shall, within five days of acquisition, register same in the manner prescribed by section 2541.

No fee shall be charged for permits under this section.

Any person who violates any provision of this section shall be punished by a fine of not more than five hundred dollars or imprisonment for not more than one year, or by both. [L. 1933-4, c. 26, s. 4.]

Sec. 2543. Possession by licensed hunters. Any person who has procured a hunting license under the provisions of sections 2463-2468, inclusive, shall, while actually engaged in hunting or while going to and from the place of hunting, be authorized to carry and use any lawfully acquired rifle or shotgun and suitable ammunition therefor. [L. 1933-4, c. 26, s. 5.]

See ss. 2463-2468, fishing and hunting license.